

Panaji, 10th April, 1997 (Chaitra 20, 1919)

SERIES I No. 2

OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

No. 2

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

7/8/97/LA

The Court-Fees (Goa Amendment) Act, 1997 (Goa Act 11 of 1997), which has been passed by the Legislative Assembly of Goa on 31-3-1997 and assented to by the Governor of Goa on 8-4-1997, is hereby published for general information of the public.

P. V. Kadnekar, Joint Secretary (Law).

Panaji, 9th April, 1997.

The Court-Fees (Goa Amendment) Act, 1997

(Act No. 11 of 1997) [8-4-1997]

AN
ACT

further to amend the Court-Fees Act, 1870, as in force in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Forty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Court-Fees (Goa Amendment) Act, 1997.

(2) It shall come into force at once.

2. *Amendment of Schedule I and Schedule II.*— For the existing Schedule I and Schedule II of the Court-Fees Act, 1870 (Central Act 7 of 1870), as

in force in the State of Goa, the following Schedules shall be substituted, namely:—

"SCHEDULE I A

Ad valorem Fees

Number		Proper fee
1.	2.	3.
	When the amount or value of the subject-matter in dispute does not exceed five rupees.	One rupee.
	When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, upto one hundred rupees.	One rupee and fifty paise.
	When such amount or value exceeds one hundred rupees, for every ten rupees, or part thereof, in excess of one hundred rupees, upto one thousand rupees.	Five rupees

1.	2.	3.	1.	2.	3.
1. Complaint, written statement pleading a set-off or counter-claim or memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil or Revenue Court except those mentioned in section 3.	When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, upto five thousand rupees. When such amount or value exceeds five thousand rupees, for every two hundred and fifty rupees, or part thereof, in excess of five thousand rupees, upto ten thousand rupees. When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, upto twenty thousand rupees. When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, upto thirty thousand rupees. When such amount or value exceeds thirty thousand rupees, for every two thousand rupees, or part thereof, in excess of thirty thousand rupees, upto fifty thousand rupees. When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees. Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be fifteen thousand rupees.	Six rupees and fifty paise. Twenty-five rupees. Thirty-five rupees. Forty-five rupees. Sixty rupees. Eighty rupees.	4. Application for review of judgment, if presented on or after the ninetyeth day from the date of the decree. 5. Application for review of judgment, if presented before the ninetyeth day from the date of the decree. 6. Copy or translation of a judgment or order not being, or having the force of, a decree. 7. Copy of a decree or order having the force of a decree.	The fee leviable on the plaint or memorandum of appeal. One-half of the fee leviable on the plaint or memorandum of appeal. When such judgment or order is passed by any Civil Court, other than a High Court or by the Presiding Officer of any Revenue Court or Office, or by any other Judicial or Executive Authority— (a) If the amount or value of the subject-matter is fifty or less than fifty rupees. (b) If such amount or value exceeds fifty rupees. When such judgment or order is passed by a High Court. When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court— (a) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees. (b) If such amount or value exceeds fifty rupees. When such decree or order is made by a High Court. (a) When the stamp-duty chargeable on the original does not exceed eight annas. (b) In any other case. For every three hundred and sixty words or fraction of three hundred and sixty words.	Five rupees. Eight rupees. Ten rupees. Ten rupees. Fifteen rupees. Twenty rupees. The amount of the duty chargeable on the original. One rupee. One rupee.
2. Plaint in a suit for possession under the Specific Relief Act, 1963 (47 of 1963), section 6.		A fee of one half the amount prescribed in the foregoing scale.			
3. Application to the Collector for reference to the Court under section 18 of the Land Acquisition Act, 1894 (1 of 1894).		One half of fee on the difference between the amount claimed by the applicant and the amount awarded by the Collector according to the scale prescribed by Article 1 of this Schedule.	8. Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899 (2 of 1899), when left by any party to a suit or proceeding in place of the original withdrawn. 9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or		

1.	2.	3.	1.	2.	3.
	the like, taken out of any Civil or Criminal or Revenue Court or office, or from the office of any chief officer charged with the executive administration of a Division.				is extended under section 376 of the Act.
10. Probate of a will or letters of administration with or without will annexed.	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, but does not exceed ten thousand rupees.	Two and half per centum on such amount or value.			
	When such amount or value exceeds ten thousand rupees, but does not exceed fifty thousand rupees.	Three and half per centum on such amount or value.	12. An application or petition made by any assessee to the High Court under section 256 of the Income-Tax Act, 1961 (43 of 1961).		One half of ad-valorem fee leviable on the amount in dispute namely the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee as payable by him subject to minimum fee of fifty rupees.
	When such amount or value exceeds fifty thousand rupees.	Five per centum on such amount or value.			
	Provided that when, after the grant of a certificate under the Indian Succession Act, 1925 (Act 39 of 1925), or under any law for the time being in force in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant.				
11. Certificate under the Indian Succession Act, 1925 (Act 39 of 1925).	In any case.	Two and half per centum on the amount or value of any debt or security specified in the certificate under Part X section 374 of the Act, and three and half per centum on the amount or value of any debt or security to which the certificate			
Table of rates of ad valorem fees leviable on the institution of suits					
When the amount or value of the subject matter exceeds			But does not exceed		
(1)	(2)	(3)	(1)	(2)	(3)
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
—	5	0.50	5	10	1.00
5	10	1.50	10	15	2.00
10	15	2.50	15	20	3.00
15	20	3.50	20	25	4.00
20	25	4.50	25	30	5.00
25	30	5.50	30	35	6.00
30	35	6.50	35	40	7.00
35	40		40	45	
40	45		45	50	
45	50		50	55	
50	55		55	60	
55	60		60	65	
60	65		65	70	

(1)	(2)	(3)	(1)	(2)	(3)
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
70	75	7.50	860	870	87.00
75	80	8.00	870	880	88.00
80	85	8.50	880	890	89.00
85	90	9.00	890	900	90.00
90	95	9.50	900	910	91.00
95	100	10.00	910	920	92.00
100	110	11.00	920	930	93.00
110	120	12.00	930	940	94.00
120	130	13.00	940	950	95.00
130	140	14.00	950	960	96.00
140	150	15.00	960	970	97.00
150	160	16.00	970	980	98.00
160	170	17.00	980	990	99.00
170	180	18.00	990	1000	100.00
180	190	19.00	1000	1100	106.50
190	200	20.00	1100	1200	112.50
200	210	21.00	1200	1300	118.75
210	220	22.00	1300	1400	125.00
220	230	23.00	1400	1500	131.50
230	240	24.00	1500	1600	137.50
240	250	25.00	1600	1700	143.75
250	260	26.00	1700	1800	150.00
260	270	27.00	1800	1900	156.50
270	280	28.00	1900	2000	162.50
280	290	29.00	2000	2100	168.75
290	300	30.00	2100	2200	175.00
300	310	31.00	2200	2300	181.50
310	320	32.00	2300	2400	187.50
320	330	33.00	2400	2500	193.75
330	340	34.00	2500	2600	200.00
340	350	35.00	2600	2700	206.50
350	360	36.00	2700	2800	212.50
360	370	37.00	2800	2900	218.75
370	380	38.00	2900	3000	225.00
380	390	39.00	3000	3100	231.50
390	400	40.00	3100	3200	237.50
400	410	41.00	3200	3300	243.75
410	420	42.00	3300	3400	250.00
420	430	43.00	3400	3500	256.50
430	440	44.00	3500	3600	262.50
440	450	45.00	3600	3700	268.75
450	460	46.00	3700	3800	275.00
460	470	47.00	3800	3900	281.50
470	480	48.00	3900	4000	287.50
480	490	49.00	4000	4100	293.75
490	500	50.00	4100	4200	300.00
500	510	51.00	4200	4300	306.50
510	520	52.00	4300	4400	312.50
520	530	53.00	4400	4500	318.75
530	540	54.00	4500	4600	325.00
540	550	55.00	4600	4700	331.50
550	560	56.00	4700	4800	337.50
560	570	57.00	4800	4900	343.75
570	580	58.00	4900	5000	350.00
580	590	59.00	5000	5250	370.00
590	600	60.00	5250	5500	390.00
600	610	61.00	5500	5750	410.00
610	620	62.00	5750	6000	430.00
620	630	63.00	6000	6250	450.00
630	640	64.00	6250	6500	470.00
640	650	65.00	6500	6750	490.00
650	660	66.00	6750	7000	510.00
660	670	67.00	7000	7250	530.00
670	680	68.00	7250	7500	550.00
680	690	69.00	7500	7750	570.00
690	700	70.00	7750	8000	590.00
700	710	71.00	8000	8250	610.00
710	720	72.00	8250	8500	630.00
720	730	73.00	8500	8750	650.00
730	740	74.00	8750	9000	670.00
740	750	75.00	9000	9250	690.00
750	760	76.00	9250	9500	710.00
760	770	77.00	9500	9750	730.00
770	780	78.00	9750	10000	750.00
780	790	79.00	10000	10500	785.00
790	800	80.00	10500	11000	820.00
800	810	81.00	11000	11500	855.00
810	820	82.00	11500	12000	890.00
820	830	83.00	12000	12500	925.00
830	840	84.00	12500	13000	960.00
840	850	85.00	13000	13500	990.00
850	860	86.00	13500	14000	1030.00

(1)	(2)	(3)
Rs.	Rs.	Rs.
14000	14500	1065.00
14500	15000	1100.00
15000	15500	1135.00
15500	16000	1170.00
16000	16500	1205.00
16500	17000	1240.00
17000	17500	1275.00
17500	18000	1310.00
18000	18500	1345.00
18500	19000	1380.00
19000	19500	1405.00
19500	20000	1450.00
20000	21000	1495.00
21000	22000	1540.00
22000	23000	1585.00
23000	24000	1630.00
24000	25000	1675.00
25000	26000	1720.00
26000	27000	1765.00
27000	28000	1810.00
28000	29000	1855.00
29000	30000	1900.00
30000	32000	1960.00
32000	34000	2020.00
34000	36000	2080.00
36000	38000	2140.00
38000	40000	2200.00
40000	42000	2260.00
42000	44000	2320.00
44000	46000	2380.00
46000	48000	2440.00
48000	50000	2500.00

and the fee increase at the rate of Rs. 80 for every Rs. 5000 or part thereof upto Rs. 1,00,000 and over Rs. 1,00,000 at the rate of Rs. 100 for every Rs. 10,000 or part thereof, upto a maximum of Rs. 15000, for example.—

Rs.	Rs.
1,00,000	3300.00
2,00,000	4300.00
3,00,000	5300.00
4,00,000	6300.00
5,00,000	7300.00
6,00,000	8300.00
7,00,000	9300.00
8,00,000	10300.00
9,00,000	11300.00
10,00,000	12300.00
11,00,000	13300.00
12,00,000	14300.00
12,70,000	15000.00
13,00,000	15000.00
15,00,000	15000.00

SCHEDULE II A

Fixed Fees

Number	Proper fee
1.	3.

1. Application or petition.

(a) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings;

or when presented to any officer of land revenue by any person holding temporarily settled land under engagement with

Government, and when the subject-matter of the application or petition relates exclusively to such engagement;

or when presented to any Municipal Council under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement;

or when presented to any Civil Court other than a principal Civil Court of original jurisdiction or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees;

or when presented to any Civil, Criminal or Revenue Court or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or Officer, or of any other document on record in such Court or office.

(b) When containing a complaint or charge of any offence other than an offence for which police officers may, under the Criminal Procedure Code arrest without warrant and presented to any Criminal Court;

or when presented to a Civil, Criminal or Revenue Court or to a Collector, or any revenue officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity, and not otherwise provided for by this Act;

or to deposit in Court revenue or rent;

or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.

(c) When presented to a Chief Commissioner or other Chief Controlling Revenue or Executive Authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a Division and not otherwise provided for by this Act.

(d) When presented to any competent authority for the purpose of obtaining a certificate of deposit or

(e) When presented to High Court or value of land or ten rupees, or in excess of ten rupees, upto and rupees.

1.	2.	3.	1.	2.	3.
	226 for the enforcement of any of the fundamental rights conferred by Part III of the Constitution or for the exercise of its jurisdiction under Article 227 thereof.	and fifty rupees.		section of the Code of Criminal Procedure, 1973 (2 of 1974) or the Code of Civil Procedure, 1908 (5 of 1908), and not otherwise provided for by this Act.	
	(ii) in any other case not otherwise provided for by this Act.	Twenty rupees			
2. Application to any Civil Court that records may be called for from another Court.	When the Court grants the application and is of opinion that the transmission of such records involves the use of the post.	Five rupees. in addition to any fee levied on the application under clause (a), clause (b) or clause (d) of Article 1 of this Schedule.	9. Under-taking under section 49 of the Indian Divorce Act, 1869 (4 of 1869) or under any corresponding other law for time being in force.		Five rupees
3. Application for leave to sue as a pauper.	— do —	One rupee.			
4. Application for leave to appeal as a pauper.	(a) When presented to a District Court. (b) When presented to a Commissioner or a High Court.	Five rupees Five rupees.	10. Mukhtar-nama or Wakalat-nama.	When presented for the conduct of any one case — (a) to any Civil or Criminal Court other than a High Court, or to any Revenue Court, or to any Collector or Magistrate, or other executive officer, except such as are mentioned in clauses (b) and (c) of this number. (b) to a Commissioner of Revenue, Circuit or Customs, or to any Officer charged with the executive administration of a Division, not being the Chief Revenue or Executive Authority. (c) to a High Court, Chief Commissioner, Board of Revenue, or other Chief Controlling Revenue or Executive Authority.	Three rupees. Four rupees. Five rupees.
5. Revision application when presented to the High Court under section 115 of the Code of Civil Procedure, 1908 (5 of 1908).		Ten rupees.			
6. Plaint or memorandum of appeal in a suit to obtain possession under the Goa, Daman and Diu Mamlatdar's Court Act, 1966 (Act 9 of 1966).		Two rupees			
7. Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.		Two rupees	11. Memorandum of appeal when the appeal is not from a decree or an order having a force of decree, and is presented —	(a) to any Civil Court other than a High Court, or to any Revenue Court, or Executive Officer other than the High Court or Chief Controlling Revenue or Executive Authority. (b) to a High Court or Chief Commissioner or other Chief Controlling Executive or Revenue Authority.	Five rupees. Ten rupees.
8. Bail bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any		Three rupees.	12. Caveat.	(1) When the amount or value of the property involved does not exceed two thousand rupees. (2) When the amount or value of property involved exceeds two thousand rupees.	Ten rupees. Two rupees.
			13. Application for permission to cut timber in Government Forest or other-		20.00 885.00 890.00 925.00 960.00 990.00 1030.00

OFFICIAL GAZETTE — GOVT. OF GOA
(EXTRAORDINARY No. 2)

SERIES I No. 2

10TH APRIL, 1997

1.	2.	3.	1.	2.	3.
wise relating to such forest.			(iv) to set aside an award;		— do —
14. Memorandum of appeal presented to —	(1) State Government where no fee has been prescribed under any relevant law.	Five rupees.	(v) to set aside an adoption;		— do —
	(2) any forest Officer where such appeal is provided for, by or under the Indian Forest Act, 1927 (16 of 1927) or any corresponding law in force, where no specific fee is specified.	Two rupees	(vi) every other suit where it is not possible to estimate at a money-value the subject-matter in dispute, and which is not otherwise provided for by this Act.		Twenty five rupees
15. Plaint or memorandum of appeal in each of the following suits :—			16. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908 (5 of 1908).		Twenty five rupees.
(i) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court;		Twenty five rupees.	17. Every petition under the Indian Divorce Act, 1869 (4 of 1869), except petitions under section 144 of the same Act, and every memorandum of appeal under section 55 of the same Act.		Fifty rupees.
(ii) to alter or cancel any entry in a register of the names of proprietors of revenue-paying estates;		— do —			
(iii) to obtain a declaratory decree where no consequential relief is prayed;		— do —			

Secretariat Annexe,
Panaji.
Dated: 9-4-1997.

B. S. SUBBANNA,
Secretary to the Government of Goa,
Law Department (Legal Affairs).